

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE:

ATMOS ENERGY CORPORATION

DOCKET NO. EEP-03-3

ORDER DOCKETING PLAN AND ESTABLISHING PROCEDURAL SCHEDULE

(Issued April 22, 2003)

On May 30, 2002, the Utilities Board (Board) issued an order directing Atmos Energy Corporation (Atmos) to file a new energy efficiency plan on or before March 31, 2003. Atmos filed its proposed new plan on March 28, 2003. The energy efficiency programs contained in the proposed new plan are similar to the programs now being offered. One addition to Atmos's current roster of programs is energy audits for small commercial customers. Atmos's proposed budget is approximately \$40,000.

The Board has reviewed Atmos's filing and finds that it substantially complies with 199 IAC chapter 35. The Board will, therefore, docket the filing and establish a procedural schedule.

IT IS THEREFORE ORDERED:

1. The energy efficiency plan filed by Atmos Energy Corporation on March 28, 2003, is docketed pursuant to 199 IAC 35.6(2), and an investigation is instituted to determine the reasonableness of Atmos's proposed energy efficiency plan. This matter will be identified as Docket No. EEP-03-3, a formal contested case proceeding. The expenses reasonably attributable to this investigation shall be assessed to Atmos in accordance with Iowa Code § 476.10.

2. The following procedural schedule is established:

- a. The parties shall notify the Board prior to May 23, 2003, if they desire a prehearing conference.
- b. Consumer Advocate and any intervenors shall file prepared direct testimony, with underlying workpapers and exhibits, on or before June 23, 2003. If a party references a data request in its prepared testimony, the data request shall be filed as an exhibit.
- c. If Consumer Advocate and any intervenors find it necessary to file testimony in rebuttal to each other's direct testimony, they may file rebuttal testimony on or before July 14, 2003.
- d. Atmos shall file its rebuttal testimony, with underlying workpapers and exhibits, on or before August 4, 2003.
- e. The parties shall file a joint statement of the issues on or before August 11, 2003.
- f. All parties, which choose to file a prehearing brief, may do so on or before August 15, 2003.
- g. A hearing shall be held beginning at 9 a.m. on September 16, 2003, for the purpose of receiving testimony and the cross-examination of all testimony. The hearing shall be held in the Board's Hearing Room, 350 Maple Street, Des Moines, Iowa. The parties shall appear one-half hour prior to the time of the hearing for the purpose of marking exhibits. Persons with disabilities requiring assistive services or devices to observe or participate should contact the Utilities Board at (515) 281-5256 in advance of the scheduled date to request that appropriate arrangements be made.

3. In the absence of objection, all underlying workpapers shall become a part of the evidentiary record of these proceedings at the time the related testimony and exhibits are entered into the record.

4. In the absence of objection, all data requests and responses referred to in oral testimony or on cross-examination, which have not been previously filed, shall become a part of the evidentiary record of these proceedings. The party making reference to the data request shall file an original and six copies of the data request and response with the Board at the earliest possible time.

5. In the absence of objection, when the Board has called for further evidence on any issue and the evidence is filed after the close of the hearing, the evidentiary record will be reopened and the evidence will become part of the record five days after the evidence is filed with the Board. All evidence filed pursuant to this paragraph shall be filed no later than seven days after the close of the hearing in this proceeding.

UTILITIES BOARD

/s/ Diane Munns

/s/ Mark O. Lambert

ATTEST:

/s/ Judi K. Cooper
Executive Secretary

/s/ Elliott Smith

Dated at Des Moines, Iowa, this 22nd day of April, 2003.